

OPEN MEETING AGENDA ITEM



0000153300

BEFORE THE ARIZONA CORPORATION COM

IN THE MATTER OF THE APPLICATION
OF MONTEZUMA RIMROCK WATER
COMPANY, LLC FOR APPROVAL OF
FINANCING TO INSTALL A WATER LINE
FROM THE WELL ON TIEMAN TO WELL
NO. 1 ON TOWERS.

Docket No. W-04254A-12-0204

ORIGINAL

IN THE MATTER OF THE APPLICATION
OF MONTEZUMA RIMROCK WATER
COMPANY, LLC FOR APPROVAL OF
FINANCING TO PURCHASE THE WELL
NO. 4 SITE AND THE COMPANY
VEHICLE.

Docket No. W-04254A-12-0205

IN THE MATTER OF THE APPLICATION
OF MONTEZUMA RIMROCK WATER
COMPANY, LLC FOR APPROVAL OF
FINANCING FOR AN 8,000-GALLON
HYDRO-PNEUMATIC TANK.

Docket No. W-04254A-12-0206

IN THE MATTER OF THE RATE
APPLICATION OF MONTEZUMA
RIMROCK WATER COMPANY, LLC.

Docket No. W-04254A-12-0207

JOHN E. DOUGHERTY,

COMPLAINANT,

Docket No. W-04254A-11-0323

Arizona Corporation Commission

DOCKETED

MAY 09 2014

V.

MONTEZUMA RIMROCK WATER
COMPANY, LLC

DOCKETED BY

RESPONDENT

IN THE MATTER OF THE APPLICATION
OF MONTEZUMA RIMROCK WATER
COMPANY, LLC FOR APPROVAL OF A
RATE INCREASE.

Docket No. W-04254A-08-0361

IN THE MATTER OF THE APPLICATION
OF MONTEZUMA RIMROCK WATER
COMPANY, LLC FOR APPROVAL OF A
FINANCING APPLICATION.

Docket No. W-04254A-08-0362

RECEIVED
2014 MAY -9 A 10:53
ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

This is additional information that, through my research, I feel should be submitted to the Arizona Corporation Commission.

Sincerely,

James Duncan
4665 E. Caren Way
Rimrock, AZ 86335

JD Duncan 5/9/2014

John Campbell Accounting and Tax Services
51 Bell Rock Plaza, Suite B
Sedona, Arizona 86351
928-821-0383

Invoice No. 311

INVOICE

Name
Address
City, State, Zip code
Phone

Montezuma Rimrock Water Co., LLC

928-300-3291

DATE

6/11/2005

Qty	Description	Unit Price	Total
6.5	Hours through 1/9/06 Read and review Uniform System of Accounts, Class C Water Utility Prepare Chart of Accounts on Quickbooks	\$40.00	\$ 260.00
1/10/2006 /	Meet to download Chart of Accounts to Quickbooks, Training on Quickbooks for Patsy Olsen	\$40.00	40.00
DUE UPON RECEIPT			
Thank you for the opportunity to serve you			
TOTAL AMOUNT DUE			\$ 300.00

Montezuma Rimrock Water Co., LLC
Chart of Accounts

Account	Type	Description
131	Bank	Cash
131:1311	Bank	Your Bank
131:132	Bank	Special Deposits
141	Accounts Receivable	Accounts Receivable
141:143	Accounts Receivable	Accum Prov-Uncollectible Acct
151	Other Current Asset	Plant material & supplies
174	Other Current Asset	Misc Current & Accrued assets
100	Fixed Asset	Fixed Assets
100:101	Fixed Asset	Utility Plant In Service
100:101:108	Fixed Asset	Accum Depr & Amort of Plant
100:101:301	Fixed Asset	Organization Costs
100:101:302	Fixed Asset	Franchises
100:101:302	Fixed Asset	Land and Land Rights
100:101:304	Fixed Asset	Structures and Improvements
100:101:305	Fixed Asset	Collect & Impound Reservoirs
100:101:306	Fixed Asset	Lake, River & Other intakes
100:101:307	Fixed Asset	wells & Springs
100:101:309	Fixed Asset	Supply Mains
100:101:310	Fixed Asset	Power Generation Equipment
100:101:311	Fixed Asset	Pumping Equipment
100:101:320	Fixed Asset	Water Treatment Equipment
100:101:330	Fixed Asset	Distribut Reservoir&Standpipe
100:101:331	Fixed Asset	Transmission& Distribut Mains
100:101:333	Fixed Asset	Services
100:101:334	Fixed Asset	Meters & Meter Installations
100:101:335	Fixed Asset	Hydrants
100:101:336	Fixed Asset	Backflow Preventon Devices
100:101:339	Fixed Asset	Other Plant & Misc Equipment
100:101:340	Fixed Asset	Office Furniture & Equipment
100:101:343	Fixed Asset	Tools, Shop & Garage Equipment
100:101:345	Fixed Asset	Power Operated Equipment
100:101:348	Fixed Asset	Other Tangible Plant
100:101:Transportation Equipment	Fixed Asset	
100:103	Fixed Asset	Property held for Future Use
100:104	Fixed Asset	Utility plant purchased/sold
100:105	Fixed Asset	Construction Work in Progress
100:114	Fixed Asset	Utility Plant Acquisition Adj
100:114:115	Fixed Asset	Accum Amort of Plant Acq Adj
100:121	Fixed Asset	Nonutility Property
100:121:122	Fixed Asset	Accum Depr & Amort-Nonutility
124	Other Asset	Utility Investments
186	Other Asset	Misc Deferred Debits
1930	Other Asset	Accum Deferred Income taxes
231	Accounts Payable	Accounts Payable
232	Other Current Liability	Notes Payable
235	Other Current Liability	Customer Deposits
236	Other Current Liability	Accrued Taxes
237	Other Current Liability	Accrued interest
241	Other Current Liability	Misc Current & Accrued Liab.
252	Other Current Liability	Advances for Construction
253	Other Current Liability	Other Deferred Credits
255	Other Current Liability	Accum Deferred Invest Tax Cr
265	Other Current Liability	Misc Operating Reserves
271	Other Current Liability	Contributions in Aid of Constr --
282	Other Current Liability	Accum Amort of CIAC
281	Other Current Liability	Accum Def Inc Tax-Accel Amort
282	Other Current Liability	Accum Def Inc Tax-Liber Depr
283	Other Current Liability	Accum Defer Income Tax-Other
Payroll Liabilities	Other Current Liability	
224	Long Term Liability	Long-Term Liabilities
200	Equity	Equity Capital
200:201	Equity	Common stock issued

413.95

75i.

Dep 200
inc 299

I-4

Sec 27
chgs

349 - Plant Vehicles

Acc 251

Meter Deposit

Hook Up

Account	Type	Description
200:204	Equity	Preferred Stock Issued
200:211	Equity	Other Paid-in-Capital
200:215	Equity	Retained Earnings
200:218	Equity	Propriety Capital
Opening Bal Equity	Equity	
Retained Earnings	Equity	
400	Income	Revenue
421	Income	Nonutility Income
460	Income	Unmetered Water Revenue
460:4601	Income	To Residential Customers
460:4602	Income	To Commercial Customers
460:4603	Income	To Industrial Customers
460:4604	Income	To Public Authorities
460:4605	Income	To Multi-Family Dwellings
460:4606	Income	To Multiple Family Dwellings
461	Income	Metered Water Sales
461:4611	Income	To Residential Customers
461:4612	Income	
461:4613	Income	To Industrial Customers
461:4614	Income	To Public Authorities
461:4615	Income	To Multi-Family Dwellings
462	Income	Fire Protection Revenue
465	Income	Sales To Irrigation Customers
466	Income	Sales for Resale
469	Income	Guaranteed Revenue
474	Income	Other Water Revenue
401	Expense	Operating Expense
403	Expense	Depreciation Expense
406	Expense	Amort-Utility Plt Acquis. Adj
407	Expense	Amortization Exp-Other
408	Expense	Taxes Other than Income Tax
426	Expense	Misc. nonutility expense
427	Expense	Interest Expense
600	Expense	Operating Expenses
600:601	Expense	Salaries & Wages-Employees
600:603	Expense	Salaries & Wages-Officer, etc
600:604	Expense	Employee Pensions & Benefits
600:610	Expense	Purchased Water
600:615	Expense	Purchased Power
600:616	Expense	Fuel for Power Production
600:618	Expense	Chemicals
600:620	Expense	Materials & Supplies
600:630	Expense	Contractual Services-Billing
600:631	Expense	Contractual Serv-Professional
600:635	Expense	Contractual services-Testing
600:636	Expense	Contractual Services-Other
600:640	Expense	Rents
600:650	Expense	Transportation Expense
600:655	Expense	Insurance Expense
600:665	Expense	Regulatory Commission Expense
600:670	Expense	Bad Debt Expense
600:675	Expense	Misc Expense
412	Other Income	Investment Tax Credits
412:41210	Other Income	Defer to Future-Utility Oper
412:41211	Other Income	Restored to Oper Inc-Utility
Other Income	Other Income	
Other income:419	Other Income	Interest & Dividend Income
Other Income:420	Other Income	Allowance-Funds used for Cnst
409	Other Expense	Income Tax
409:40910	Other Expense	Utility Operating Income
410	Other Expense	Provision-Defer Income Taxes
410:41010	Other Expense	Deferred Income Taxes
411	Other Expense	Provision-Def Inc Tax-Credit
411:41110	Other Expense	Utility Operating Income

219 Drawing Acct

475=Acct Set up Fee

219
218
215
211
204

475
475
475
475
475

R&M

671 Bus & Subsidy

Per Acc Report Use 621 as main
621=Office Supply

680 Office Operating Exp

681 Office Utility Exp

682 Rent

683 Office

684 Computer & Internet Exp

685 Misc Office Exp

1 **THOMAS C. HORNE**
2 **ATTORNEY GENERAL**

Firm Bar No. 14000

3 **RICK ZEISE**

4 Assistant Attorney General

5 State Bar No.025855

6 1275 West Washington Street

Phoenix, Arizona 85007-2926

7 Telephone: (602)-542-8553

8 Fax: (602) 542-7798

Environmental@azag.gov

Attorneys for Plaintiffs

9
10 **SUPERIOR COURT OF THE STATE OF ARIZONA**
11 **COUNTY OF MARICOPA**

12 STATE OF ARIZONA, *ex rel*, HENRY
13 R. DARWIN, Director, Arizona
Department of Environmental Quality,

14 Plaintiffs,

15 vs.

16 MONTEZUMA RIMROCK WATER
17 COMPANY LLC,

18 Defendant.

Civil No. CV2013-014438

SATISFACTION OF JUDGMENT
(Non-classified Civil)

(Assigned to the Honorable Douglas Gerlach)

19 TO ALL PARTIES and to their counsel of record, please take notice that
20 Plaintiff, State of Arizona, *ex rel*. Henry Darwin, Director, Arizona Department of
21 Environmental Quality ("State") hereby notifies the Court that defendant
22 MONTEZUMA RIMROCK WATER COMPANY LLC ("Montezuma" or
23 "Defendant") has fulfilled all of its obligations as required by the Consent Judgment in
24 this matter, previously filed with the Court. The Court entered the Consent Judgment in
25 this matter on or about November 15, 2013.
26

1 As part of the Consent Judgment, Defendant agreed to the following Consent
2 Judgment terms:

3 Section IV provided that:

4 A. Montezuma shall operate the approved arsenic treatment facility and
5 associated appurtenances in accordance with the Certificate of Approval of
6 Construction ("AOC") issued on November 21, 2012 (licensing time frame permit ID#
7 56538).

8 Section V provided that:

9 B. Montezuma will maintain water quality for arsenic in its water treatment
10 system that is equal to or less than ten (10) part per billion ("ppb") throughout
11 Montezuma's operation of a water treatment system. Arsenic compliance is determined
12 by the running annual average of quarterly reports.

13 C. Montezuma will achieve an annual average of 10 ppb for arsenic no later
14 than June 2014.

15 D. The requirements of Section V will be deemed satisfied for the purpose of
16 Section XXIII (Termination) when Montezuma has achieved Arsenic compliance,
17 based on the running average of quarterly reports for four consecutive quarters.

18 Section VI provided that:

19 A. The Defendant shall pay to the State the sum of one thousand United
20 States dollars (\$1,000.00) as a civil penalty, pursuant to A.R.S. § 49-354; Montezuma
21 will pay five hundred dollars (\$500.00) within 30 days from the effective date of the
22 consent judgment and will pay the remaining five hundred dollars (\$500.00) within
23 ninety days from the effective date of the consent judgment.

24 Section XIV provided that:

25 A. Upon fulfillment of its obligations under Sections IV, V C and D, and VI,
26 and the Defendant's achieving an average of 10 ppb for arsenic for a period of four

1 consecutive quarters the Defendant is hereby released from any and all civil liability to
2 the State for any and all violations and allegations contained in the Covered Matters.

3 Section XXIII provided:

4 A. The provisions of this Consent Judgment shall be deemed satisfied and
5 shall terminate once the following has occurred: Defendant has completed all of the
6 requirements under Sections IV, V, sections C and D, and VI.

7 B. After satisfaction of this Consent Judgment, upon request by the
8 Defendant, the State shall execute and file a satisfaction of judgment with this Court
9 and in any County in which this Judgment was recorded.

10 C. After the termination of this Consent Judgment, Montezuma will remain in
11 compliance with all applicable Arizona and Federal Environmental laws.


12 The State is satisfied that the Defendant has met the requirement for termination
13 of this Consent Judgment as described within Section XXIII.

14 RESPECTFULLY SUBMITTED this 18th day of April, 2014.

15 THOMAS C. HORNE
16 Attorney General

17 /s/ Rick Zeise
18 Rick Zeise
19 Assistant Attorney General

20 Approved by:

21 
22 _____
23 Michael A. Fulton, Director
24 Water Quality Division
25 Arizona Department of
26 Environmental Quality

1 ORIGINAL of the foregoing electronically
2 filed this 28th day of April, 2014, with:

3 Clerk of the Court
4 Maricopa County Superior Court
5 201 W. Jefferson
6 Phoenix, AZ 85003-2205

7 By: /s/ Jana M. Tabeek
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Yavapai County Development Services

Prescott Office

1120 Commerce Drive, Prescott, AZ 86305
(928) 771-3214 Fax: (928) 771-3432



Cottonwood Office

10 S. 6th Street, Cottonwood, AZ 86326
(928) 639-8151 Fax: (928) 639-8153

Addressing – Building Safety – Customer Service & Permitting – Environmental – Land Use – Planning

April 25, 2014

Ms. Patricia Olsen
Montezuma Rimrock Well Company
3031 E. Beaver Creek Road
Rimrock, AZ 86335

Dear Ms. Olsen:

I am writing to let you know that the hearing application referenced below, HA# H13103, is scheduled to be heard by the Board of Supervisors on May 19, 2014, at ~~9:30~~ 9:30 a.m. at the Yavapai County Administrative Building, 10 South 6th Street, Cottonwood, AZ 86326.

BOARD HEARING AGENDA ITEM

Use Permit; APN: 405-25-517; HA# H13103

Owner/Applicant: Montezuma Rimrock Water Company LLC

Agent: Robert Whiting

Project Name: MRWC Well #4

Request:: Consideration of a Use Permit to allow the placement of an on-site well to serve the Montezuma Rimrock Water Company system, on a legal non-conforming approximate .22 acre (9,583 sq. ft.) lot in an R1L-10 (Residential; Single Family Limited; 10,000 sq. ft. minimum lot size) zoning district. Located on Lot 500 in Lake Montezuma Estates Unit 2 on the west side of Tiemann Lane approximately 200 feet west of the intersection of Bentley Drive and Tiemann Lane in the Community of Beaver Creek. S36 T15N R05E G&SRB&M

P&Z RECOMMENDATION: On April 23, 2014, the Planning and Zoning Commission recommended approval of the Use Permit, HA# H13103, with the stipulations amended as follows:

1. Use Permit to be approved on a permanent basis for a well site to service the Montezuma Rimrock Water Company and to be developed in conformance with the site plan dated 01/17/13, and the Landscape Plan dated 2/10/10 and in accordance with all applicable County, State and Federal codes, regulations and ordinance requirements.
2. Waiver of the screening requirement to allow for chain link fence with slats and landscaping per the submitted landscape plan detail. ***Landscaping to be maintained in a live state by the property owner.**
3. Any future expansion of use or structures will require an amendment to this Use Permit.
4. In the event the owner of the subject property files a claim under ARS Section 12-1134 regarding this Use Permit, this Use Permit shall be null and void.
5. Certificate of Compliance to be issued within 12 months of Board of Supervisors approval confirming that all stipulations have been satisfied, the use is operating in

conformance with YC Water Well Code and all approvals, or the Use Permit will become null and void.

***Verbiage per the Commission**

The vote was unanimous.

You or your representative need to be present for the Board of Supervisors meeting on May 19, 2014. If you are unable to attend, please notify this department at 928-442-5415.

Sincerely,

Kristy Kennedy
Planner II
Planning Unit
YAVAPAI COUNTY DEVELOPMENT SERVICES

Cc: Robert Whiting, corabob@hotmail.com
File

Dequire

Gary E. Robbins/4605
GARY E. ROBBINS, P.C.
Bank of America Building, Suite 504
121 East Birch Avenue
Flagstaff, Arizona 86001
(928) 774-4321
FAX (928) 774-7458
robbins.law@gmail.com



Attorney for Petitioner/Husband

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF COCONINO

In re the Marriage of:

Case No.: DO 2013-00081

GREGORY S. OLSEN,

Petitioner,

and

PATRICIA D. OLSEN,

Respondent.

**Petitioner's Eleventh Supplement to
Rule 49 Disclosure of Witnesses and
Exhibits**

COMES NOW the Petitioner/Husband, GREGORY S. OLSEN by and through
his attorney undersigned, pursuant to Rule 49, Arizona Rules of Family Law
Procedure, provides his Eleventh Supplement to the list of his potential witnesses and
exhibits to be called/used at any subsequent hearing or trial in this matter:

I. WITNESSES:

5. Arnold "Sergei" Arias, Jr.
2126 S. Tombaugh Way
Flagstaff, AZ 86001
(928) 607-7668

Arnold "Sergei" Arias, Jr. will testify regarding "Arias Tank Financing"

1 and all other business dealings Mr. Arias has had with Montezuma Rimrock Water
2 Company, LLC and Montezuma System Operations, LLC and his knowledge of
3 hydro-pneumatic tanks. Additionally Mr. Arias will testify regarding the "gift" of the
4 2005 Honda Civic Hybrid from the Respondent/Wife.
5

6
7 6. John E. Dougherty
8 5225 Bentley Drive
9 Rimrock, AZ 86335

10 John E. Dougherty will testify regarding his ongoing legal battles with
11 the Respondent/Wife and Montezuma Rimrock Water Company, LLC, her refusal to
12 comply with Discovery Requests, the harassment he suffered at the hands of the
13 Respondent/Wife and his personal knowledge of the underhanded business dealings
14 of the Respondent/Wife and Montezuma Rimrock Water Company, LLC.
15

16 7. Ivo W. Buddeke
17 5280 Bentley Drive
18 Rimrock, AZ 86335
19 (928) 567-1414

20 Ivo W. Buddeke will testify regarding his ongoing legal battles with the
21 Respondent/Wife and Montezuma Rimrock Water Company, LLC, the harassment he
22 suffered at the hands of the Respondent/Wife and his personal knowledge of the
23 underhanded business dealings of the Respondent/Wife and Montezuma Rimrock
24 Water Company, LLC.
25
26
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28

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA -3 AM 9:15

IN AND FOR THE COUNTY OF COCONINO

FILED

Ted S. Reed, Judge

Deborah Young, Clerk

Division 6

Melissa Schaar, Deputy Clerk

Date: March 28, 2013

FTR Digital Recorder

MINUTE ENTRY

In re the Matter of

GREGORY SCOTT OLSEN,

Petitioner,

and

PATRICIA S. OLSEN,

Respondent

Cause No. DO 2013-00081

ACTION: Evidentiary Hearing re: Order of Protection

APPEARANCES: Gregory Olsen, Petitioner, is present, appearing with counsel, Gary Robbins. Patricia Olsen, Respondent, is present, appearing with counsel, Benjamin Deguire.

9:03 a.m. Court is in session.

The Court notes the purpose of today's proceeding.

Counsel Robbins places a 12 Point Agreement on the record. Counsel Deguire places amendments of same on the record.

Upon Court inquiry, both Petitioner and Respondent agree to the binding Rule 69 Agreement as set forth on the record, **IT IS SO ORDERED.**

Counsel Robbins calls the Petitioner to the stand. The Petitioner is administered the oath by the clerk and testifies on direct, cross, redirect examination, and is excused.

Counsel Robbins rests.

Counsel Deguire presents an Oral Motion for Directed Verdict to the Court.

Court places findings on the record as to Rule 47, A.R.S. § 25-315, A.R.S. § 25-213A, and A.R.S. § 25-214(A).

SCANNED

In the Matter re Olsen & Olsen
Cause No. DO 2013-00081
March 28, 2013, 2013

IT IS ORDERED that Respondent shall control all records regarding her water company business pending litigation in this case.

FURTHER ORDERED Counsel Robbins shall deliver the non-photocopied documents to Counsel Deguire's office within one (1) hour.

IT IS ORDERED setting a Resolution Management Conference on May 17, 2013, at 11:00 a.m., in the Division 6 Courtroom, before the Honorable Ted S. Reed.

9:43 a.m. Court is adjourned.

Pursuant to A.R.S. § 25-331: You may request conclusions of fact and law on the following issues, if they are contested: the issues of child custody, relocation requests, spousal maintenance, community property, community debt and child support. To request conclusions of fact and law, you must file a written request with the Court before the Trial or the Evidentiary Hearing. If you make a written request before the Trial or Evidentiary Hearing, the Court will make conclusions of fact and law as part of the final decision.

TR

cc: Gary Robbins
Benjamin Deguire
Division 6

4-3-14 MS